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August 29, 2002

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NHTSA
Docket Management, Room PL-401
400 Seventh St., SW
Washington, DC 20590

Dear NHTSA:

Ref: Docket No. NHTSA 2001-8677; Notice 2

I am providing the following comments in response to the Notice of Public Rulemaking (NPRM) for the early warning reporting requirements of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, [Docket No. NHTSA 2001-8677; Notice 2].

It is proposed that the early warning reporting requirements be extended to motorcycle rider apparel. I believe this goes well beyond the intent of Congress and scope of the TREAD Act and recommend that motorcycle rider apparel not be among the items subject to the reporting requirements proposed in the NPRM.

First and foremost, I view this as an incremental step toward mandatory clothing certification and use requirements. I deeply value my freedom and am strongly concerned and opposed to the erosion of my rights to make decisions about what I ride and what I wear. Based on this principle, I believe that motorcycle riding apparel should be removed from the NPRM. However, there are other reasons, too.

Unlike other motor vehicle equipment, original equipment, replacement equipment, tires or child restraints subject to the NPRM's proposed reporting requirements, apparel is neither installed in or on a vehicle. The reporting requirements should extend only to those items that affect the vehicle, such as steering systems, suspension, tires, brakes, etc.

From my personal experience as a rider I can say that what I'm wearing has no effect on the safety characteristics of my motorcycle, just as what I wear has no effect on the safety characteristics of my car. If I'm wearing a motorcycle jacket or boots, in a car or on a bike, it makes no difference to the brakes, steering, suspension or tires. TREAD really seems to be about letting consumers know when there are problems with their vehicles, not their clothes.

The fact that motorcycle apparel is not worn exclusively while riding motorcycles further complicates the reporting requirements. Will manufacturers be expected to file reports when automobile occupants wearing leather jackets or boots are involved in a crash or fatality? The apparel reporting requirements are simply impractical and dilute the effectiveness of the TREAD Act by creating vast quantities of unreliable and superfluous data.

I believe it's important that NHTSA focus on the major issues that lead to the need for the "early warning reporting requirement" of the TREAD Act. Identifying specific vehicle-related equipment that, if defective, would possibly lead to death or injury should be priority number one. Motorcycle rider apparel simply doesn't belong in this category and should be removed from the reporting requirements. Thank you for the opportunity to comment.

Sincerely,



Nan Darbous
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